# Access

News on WCB products, programs, and services

WCB'S ONLINE HEALTH AND SAFETY CENTRE

## Online searchable Regulation now available

A new resource for employers has been added to the WCB's WorkSafe ™ web site. The Health and Safety Centre provides a comprehensive self-serve environment for you to quickly access health and safety information, tools, and regulations.

Especially useful is an online searchable version of the Occupational Health and Safety Regulation. This resource allows you to search and download parts of the Regulation specific to your business or industry. You can also find related information such as guidelines and policies that clarify the intent of the Regulation.

Under the Regulation, employers are required to make a copy of the Regulation readily available to workers. By providing workers access to the online version, you may meet this requirement.

To use the online version of the Regulation, go to the WorkSafe online home page at **www.worksafebc.com** and use the "Regulation Search" feature under the Health and Safety Centre.

## New policy for transfer of experience rating

The WCB approved a new policy in July that expands the criteria to transfer experience rating when a firm changes its owners. The new policy aims to provide greater equity amongst employers. It gives employers greater opportunity to keep their discount even when aspects of their ownership changes, and helps the WCB identify those employers who are driving claim costs and ensure their experience rating follows.

Currently, a firm maintains its experience rating if 50 percent of the firm's ownership remains the same and the classification doesn't change. Effective July 2001, other factors such as the continuation of business operations, management, and staff may still allow for the transfer of experience rating.

For more information about the transfer of experience rating, visit our web site at **www.worksafebc.com** or contact the Employer Service Centre at **604 244-6181**, toll-free at **1 888 922-2768**.

## Specialized service for small business

Ninety percent of companies in B.C. are classed as small businesses and they employ 40 percent of all workers. To assist small businesses, the Small Business Service Centre is designing specialized tools and materials that focus on improving workplace safety and preventing injuries.

The Service Centre consults with employers and industry associations to identify workplace hazards specific to the industry. It then develops appropriate safety materials that are simple, practical, and useable. These resources could include manuals, pamphlets, hazard alert posters, or other safety-related tools. For example, a health and safety information package was recently developed and distributed to small restaurants throughout B.C.

On October 25, 2001, the WCB will be participating in the SOHO Small Business Conference at the Vancouver Exhibition Centre. WCB representatives will be on hand to answer questions, distribute materials, and introduce new occupational health and safety resources for small businesses.

For more information, contact Theresa Holizki, manager of Small Business in the Prevention Division, at **604 233-4044** or **tholizki@wcb.bc.ca**

## Reporting dividends in your calculation of shareholder earnings

Employers are required to include the actual wages and salaries of active shareholders, directors, and other corporate officers in their calculation of assessable earnings. But since January 2001, the actual dividends (known as "after-tax earnings") declared to the Canada Customs and Revenue Agency (CCRA) should be included in your WCB calculation of wages and salaries if the amount represents more than 50 percent of an active shareholder's earnings.

Here's an example to help you determine whether to include dividends in your calculation.

An active shareholder receives a T-4 for $15,000 and no other non-dividend earnings, such as management fees or stock options. The shareholder also receives a dividend of $35,000. Therefore, the total earnings for this shareholder are $50,000. In this example, the non-dividend earnings represent 30 percent of the total earnings, while the dividend earnings represent 70 percent. As the dividend earnings are **more than 50 percent** of the total earnings, they are therefore assessable and should be included in the calculation of wages and salaries on the Employer Remittance Form (which employers who pay quarterly complete four times a year) and the Employer Payroll and Contract Labour Report (which all employers submit once a year), as long as they do not exceed the maximum for assessable earnings. In this example, the firm would include the $50,000 dividend in its calculation of wages and salaries.

For more information about how to calculate and report shareholder earnings, contact the Employer Service Centre at **604 244-6181**, toll-free at **1 888 922-2768**.

## Statement of account now easier to read

In response to suggestions from the employer community, we've redesigned our statement of account to make it easier to read and understand. To do so, we changed our format, making the statement similar to a credit card statement. You can now see, at a glance, any unpaid transactions or credits from the previous month, as well as your outstanding balance.

The statement of account is mailed to employers who have an outstanding balance on their account—in the form of a credit or debit. The statement is mailed at the beginning of each month.

For more information about the new statement of account, contact the Employer Service Centre at **604 244-6181**, toll-free at **1 888 922-2768**.

## Misleading disability management

Disability management refers to a formalized program designed to allow injured workers to return to work in a safe and appropriate fashion. Proper disability management entails following established policies and procedures. The WCB and reputable disability management firms can assist you with your program.

Unfortunately, there are some firms who masquerade their services as disability management. In the absence of proper supervision by the employer, such firms may dictate inappropriate tests, treatments, or interventions in the guise of returning an injured employee to work. Employers should be wary of firms that offer such misleading services.

Whether or not the employer knows what the firm is doing, the employer bears the responsibility for contravening the policies and regulations of the WCB.

If you would like more information or clarification on this issue, please contact Gordon Rumohr, Program Manager, Worksite Reintegration, at **604 276-3140**, or toll-free **1 800 661-2112**, local **3140**.

# Regulation Matters

## Section 19.42 — Electrofishing

Equipment must be approved by an agency acceptable to the Board, and if such approval is not possible, must be certified by a professional engineer.

Background

In order to implement this section, it is desirable to have a standard by which to judge the acceptability of the equipment and an agency to approve it. A suitable standard appears to have been found, but not, as of yet, an agency to approve the equipment.

However, if the standard is acceptable, it may be reasonable to follow the alternative of certification by an engineer. A guideline for this alternative is being developed. Comments from the main users of the equipment will be sought before a decision is made.

There is no evidence of serious injuries resulting from using this equipment.

Directive

1. Officers will not issue orders for violations of section 19.42.
2. This directive applies to all Prevention Division officers conducting inspections or investigations as well as reviews of orders, administrative penalties, or other processes arising out of inspections or accident investigations.
3. Orders may be issued under other sections governing equipment if there are violations of them, for example, section 4.3 of the Regulation.
4. This directive will expire on December 31, 2001.

**Contact** Nick Attewell at **604 244-6376** or **nattewel@wcb.bc.ca**, for more information.

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This newsletter is also available electronically on the WCB web site, WorkSafe Online, at **www.worksafebc.com/pubs/newsletters/access/**. Look for the next issue in December 2001.

WorkSafe

WORKERS' COMPENSATION BOARD OF BRITISH COLUMBIA

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